



MEMORANDUM

TO: District Board of Zoning Adjustment

FROM: Jennifer Steingasser, Deputy Director Development Review & Historic Preservation

DATE: April 6, 2010

SUBJECT: BZA Case No. 18053 – Request for special exception relief under § 223 for a two-story rear addition at 3212 P Street NW

I. OFFICE OF PLANNING RECOMMENDATION

The Office of Planning (OP) **recommends approval** of this application pursuant to § 223 to permit a rear addition to an existing two-story row dwelling at 3212 P Street N.W., requiring special exception relief as follows:

- § 401, non-conforming lot area and lot width (existing non-conformities)
- § 403, non-conforming lot occupancy (the proposal would exceed R-3 maximum of 60% but conform to § 223 limit of 70%)
- § 404, non-conforming rear yard (the proposal would create a deficient rear yard by approximately 2')
- § 406, non-conforming open courts (the proposal would create deficient open courts by about 6' in width for each court)

II. AREA AND SITE DESCRIPTION:

Address:	3212 P Street N.W.
Legal Description:	Square 1256, Lot 1
Ward/ANC:	2/2E
Lot Characteristics:	The lot is trapezoidal in shape and measures approximately 18' wide and 70' deep. The lot fronts P Street to the north and has no alley access.
Zoning:	R-3: row dwellings
Existing Development:	There is an existing two-story single family row dwelling, which is a permitted use in this zone.
Historic District:	Georgetown Historic District
Adjacent Properties:	To the north, across P Street, are existing two-story retail and residential uses. To the east is a two-story row dwelling. To the west and south are one and two-story retail buildings that generally front Wisconsin Avenue N.W.
Surrounding Neighborhood Character:	Square 1256, and the neighborhood more generally, is characterized by single family residential use zoned R-3 and, primarily along Wisconsin Avenue, low density commercial use zoned C-2-A.

III. PROJECT DESCRIPTION IN BRIEF

Applicant	Italo Rodriguez
Proposal:	The Applicant proposes to construct a rear addition to an existing two-story row dwelling, largely over the location of an existing deck. The addition would extend approximately 11' deep, 17' wide, and 22' high. It would provide new enclosed living space on the second story above unenclosed new deck space on the first story.



Relief Sought:

§ 223 – Expansion of an existing row dwelling that does not conform to lot occupancy (§ 403.2), rear yard (§ 404.1), and open court (§ 406.1). The existing lot is also non-conforming for lot area and lot width (§ 401.3)

IV. IMAGES AND MAPS



View of the site from the corner of P Street and Wisconsin Avenue



Aerial view of the site (subject Property outlined in blue)

V. ZONING REQUIREMENTS

The following table, which reflects information supplied by the Applicant, summarizes certain zoning requirements for the project and the relief requested.

R-3 Zone	Regulation	Existing	Proposed	Relief:
Height (ft.) § 400	40' max. 3 stories max.	< 40' 2 stories	< 40' 2 stories	None-required
Lot area (sq. ft.) § 401	2,000 sq. ft. min.	1,321 sq. ft.	1,321 sq. ft.	Existing non-conformity; no change proposed
Lot width (ft.) § 401	20' min.	~18'	~18'	Existing non-conformity; no change proposed
Lot occupancy (building area/lot) § 403	60% max. 70% by special exception	56%	70%	Relief needed by special exception
Rear yard (ft.) § 404	20' min.	29'	18.5'	Relief needed
Open court (ft.) § 405	4" per foot of height of court; min. of 6'	N/A	~ 6" each court	Relief needed
Parking spaces (number) § 2101	1 min.	0	0	None required

VI. OFFICE OF PLANNING ANALYSIS

The Applicant's revised submission, dated March 29, 2010, slightly reduced the size of the proposed addition from the original plan. The modified plan decreased the depth of the addition by about half a foot, consequently reducing the proposed lot occupancy to 70%.¹ As a result, the Applicant now requests special exception relief pursuant to § 223 for an addition that does not comply with certain zoning requirements, as discussed below.

Special Exception: § 223

§ 223.1 An addition to a one-family dwelling or flat, in those Residence Districts where a flat is permitted, or a new or enlarged accessory structure on the same lot as a one-family dwelling or flat, shall be permitted even though the addition or accessory structure does not comply with all of the requirements of §§ 401, 403, 404, 405, 406, and 2001.3 shall be permitted as a special exception if approved by the Board of Zoning Adjustment under § 3104, subject to the provisions of this section.

Single family row dwellings are a permitted use in R-3 zones. The application requests special exception relief pursuant to § 223 for an addition that does not comply with all of the zoning requirements.

§ 223.2 The addition or accessory structure shall not have a substantially adverse affect on the use or enjoyment of any abutting or adjacent dwelling or property; in particular:

(a) The light and air available to neighboring properties shall not be unduly affected.

Light and air available to neighboring properties should not be unduly affected by the proposal. The two-story addition only would extend approximately 11' deep and rise 22' high. To the west, the proposed addition would abut the back of commercial buildings and therefore should have little adverse impact. To the east, the proposed addition would face an existing approximately 7' wide court of a single family

¹ The original application did not appear to include new non-conforming open courts into the lot occupancy calculation, as required pursuant to the definition of "Building area" in § 199.1.

dwelling (3210 P Street) which would preserve some separation between the addition and the neighboring residential dwelling.

(b) The privacy of use and enjoyment of neighboring properties shall not be unduly compromised.

The addition would not have windows on its east or west sides and, as a result, should not have an undue impact on the privacy of use and enjoyment of neighboring properties.

(c) The addition or accessory structure together with the original building, as viewed from the street, alley, and other public way, shall not substantially visually intrude upon the character, scale and pattern of houses along the subject street frontage.

The addition should not be visible from P Street and the Property does not abut a public alley. The original row dwelling, together with the addition, would not present an inconsistent character or scale for the neighborhood. As such, the addition should not substantially intrude upon the pattern of houses along the subject street frontage.

(d) In demonstrating compliance with (a), (b) and (c) of this subsection, the applicant shall use graphical representations such as plans, photographs or elevation and section drawings sufficient to represent the relationship of the proposed addition or accessory structure to adjacent buildings and view from public ways.

The Applicant has provided photos, elevation drawings, and a site plan showing the relationship of the proposed addition to adjacent buildings and views from public ways.

VII. HISTORIC PRESERVATION

The Commission of Fine Arts (CFA), by letter dated October 16, 2009, expressed no objection to the general concept of the rear addition.

VIII. COMMUNITY COMMENTS/ANC

An April 1, 2010 submission from ANC 2E reflects unanimous support for the proposed addition, subject to a letter of consent from the adjacent residential neighbor. The Applicant has informed OP that the residential neighbor to the east (3210 P Street) does not object to the proposal.

IX. RECOMMENDATION

The Office of Planning **recommends approval** of the special exception relief to construct a rear addition to an existing single family row dwelling.

JS/pg
Paul Goldstein, case manager